ORDER RECEIVE ã IN RE: PETITION FOR ADMIN. VARIANCE

E/S Old Court Road, 30' S of

the c/l of Ruxton Hill Road (1 Ruxton Hill Road)

9th Election District 4th Councilmanic District

Roger Theodore, et ux

Petitioners

BEFORE THE

DEPUTY ZONING COMMISSIONER

OF BALTIMORE COUNTY

Case No. 95-231-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as a Petition for Administrative Variance for the subject property known as 1 Ruxton Hill Road, located on the southwest corner of Old Court Road and Ruxton Hill Road in the vicinity of Rockland. The Petition was filed by the owners of the property, Roger and Jane Theodore. The Petitioners seek relief from Section 400.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an accessory structure (proposed swimming pool) to be located in the side yard and in the third of the lot closest to any street in lieu of the required rear yard and that third of the lot farthest re-The subject property and relief sought are more moved from any street. particularly described on the site plan submitted and marked into evidence as Petitioner's Exhibits 1, 1A and 1B.

The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted and there being no requests for public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variances would adversely affect the health, safety or gener-

ORDER RECEIVED FOR FILING

al welfare of the public and should therefore be granted. In the opinion of the Deputy Zoning Commissioner, the information, pictures, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the B.C.Z.R. having been met, and for the reasons set forth above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this day of February, 1995 that the Petition for Administrative Variance seeking relief from Section 400.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an accessory structure (proposed swimming pool) to be located in the side yard and in the third of the lot closest to any street in lieu of the required rear yard and that third of the lot farthest removed from any street, in accordance with Petitioner's Exhibits 1, 1A and 1B, be and is hereby GRANTED, subject, however, to the following restrictions:

1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the relief granted herein shall be rescinded.

TIMOTHY M. KOTROCO

Deputy Zoning Commissioner

for Baltimore County

TMK:bjs

Baltimore County Government Zoning Commissioner Office of Planning and Zoning



Suite 112 Courthouse 400 Washington Avenue Towson, MD 21204

(410) 887-4386

February 1, 1995

Mr. & Mrs. Roger Theodore 2 Bargate Court Baltimore, Maryland 21212

RE: PETITION FOR ADMINISTRATIVE VARIANCE

E/S Old Court Road, 30' S of the c/l of Ruxton Hill Road

(1 Ruxton Hill Road)

9th Election District - 4th Councilmanic District

Roger Theodore, et ux - Petitioners

Case No. 95-231-A

Dear Mr. & Mrs. Theodore:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Administrative Variance has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Zoning Administration Office at 887-3391.

Very truly yours,

TIMOTHY M. KOTROCO

Deputy Zoning Commissioner

for Baltimore County

TMK:bjs

cc: Mr. Kent Cooper Kurt Bluemel, Inc., 2740 Greene Lane, Baldwin, Md. 21013

People's Counsel

File

The experience of the state of

Affidavit in support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently reside	e at 1 Ruxton Hill	. Rd.	
	Baltimore	MD	21204
	City	State	Zip Code
That based upon personal knowledge, the for Variance at the above address: (indicate hardsh		ich I/we base the reque	st for an Administrative
refe	r to attached she	et	
			· · · · · · · · · · · · · · · · · · ·
,			
Tha Affiant(s) aoknowledge(s) that if a primay be required to provide additional information of the country of B. I HEREBY CERTIFY, this 21 1 day of Maryland, in and for the Country aforesaid the Affiants(s) herein, personally known or that the matters and facts hereinabove set for the country of the country of the country of the country aforesaid the Affiants(s) herein, personally known or that the matters and facts hereinabove set for the country of	ALTIMORE, to wit: of DELEMBER d, personally appeared AND JAME satisfactorily identified to me a	(slopfature) (type or print name) 1994, before me HEODORI as such Affiantt(s), and	THOO WE
	My Commiss	sion Expires:	6



Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located atLot 44 Bridleshire, 1 Ruxton Hill Rd.

which is presently zoned

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the

DR1

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s)

400. I to permit an accessory structure (pool) in the side yard and in the third of the lot closest removed from any street in lieu of the rear yard and fartnest third, respectively.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty)

Refer to attached sheet

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

			Igna owner(s) or the bioberts which is the saplest of the same.
Contract Purchaser/Lessee:			Legal Owner(s).
Type of Print Name)	,		(Type or Print Name) Signature
Address		·	Type of Fin Name) X JULY TO EN OVE
City	State	Zipcode	Sightable THEODORE
Attorney for Petitioner:			2 Bargate Court (410) 377-8855
(Type or Print Name)		·	Address Phone No. Baltimore, MD 21212
Signature			City State Zipcode Name, Address and phone number of representative to be contacted. Kent Cooper Kurt Bluemel, Inc.
Address	Phone No.		Name 2740 Greene Lane (410) 557-7575
City	State	Zipcode	Address Phone No. Baldwin, MD 21013

ESTIMATED POSTING DATE: 1 - 15 - 95

circulation throughout Baltimore County, and that the property be reposted.



Printed with Soybean Ink on Recycled Paper

that the subject matter of this petition be set for a public hearing, advertised, as required by the Zoning Regulations of Baltimore County, in two newspapers of general

ITEM #: 2399

Zoning Commissioner of Baltimore County

95-231-A

The undersigned hereby petition for a variance for the following reasons:

- Because of a thirty-five foot (35') neighborhood setback it is impossible to build a pool in the rear yard.
- The residence is sited to totally occupy the building envelope.
- Slopes are such that the pool will not be visible from the front or side yards beyond the property line.
- This siting is an exact copy of the neighbor immediately adjacent.
- The entire property will be planted for maximum privacy.
- An automatic pool cover will provide safety.

MOROFILMEN

95-231-A

Zoning Description

Zoning description for Lot 44 Bridleshire

Beginning at a point on the southeast corner of Old Court Road and Ruxton Hill Road which is a 40' right-of-way width, at the distance of 30' south of the centerline of Ruxton Hill Road, which is a 40' right-of-way width begin Lot 44 in the subdivision of BRIDLESHIRE as recorded in Baltimore County Plat Book #52, Folio 16, ocntaining approx. 40,300 square feet. Also known as #1 Ruxton Hill Road and Located in the 9th Election District.

#229

in the Ja

CERTIFICATE OF POSTING ZONING DEPARTMENT OF SALTIMORE COUNTY Towner, Maryland

95-231-A

District 9th	Date of Posting 1/14/94
Posted for: Adam Voriones	· · · · · · · · · · · · · · · · · · ·
Petitioner: Sogar & Jane Theoc	dore.
Posted for: Adm Variance Petitioner: Sefor & Jane Theoc Location of property: Ruxton Hill Rd.	E/s Old Court Rd
Location of Signa: Facing Toodway, Ord	
Remarks:	·
Posted by Malerius	Data of return: 1/30/95
Number of Signat /	·



Ballimore County

Zoning Administration &

Development Management

11 West Chesapeake Avenue

Touson, Maryland 21204

Account: R-001-6150

Date 1-4- 95

,

Theodore, Roger - 1 Ruxton Hill Road

010- Zoning Variance - \$ 50.00

030-5p. Hearing _ # 50.00

70-kl - \$135.00

Number

I tem Kumber: 229 Takun In B: 700K

2671"

196919 95-231-A

- 0140140260M1 THEC - 04-02101286M11-04--95 \$135,00

Please Make Checks Payable To: Baltimore County

Baltimore County Government Office of Zoning Administration and Development Management



111 West Chesapeake Avenue Towson, MD 21204

(410) 887-3353

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County Zoning Regulations require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- Posting fees will be accessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper. NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR

AJ:ggs

(Revised 04/09/93)

Baltimore County Government Office of Zoning Administration and Development Management



(410) 887-3353

111 West Chesapeake Avenue Towson, MD 21204

NOTICE OF CASE NUMBER ASSIGNMENT

January 10, 1995

Re:

CASE NUMBER: 95-231-A (Item 229)

1 Ruxton Hill Road (Lot 44 - Bridleshire)

E/S Old Court Road, 30' S of c/l Ruxton Hill Road

9th Election District - 4th Councilmanic

Legal Owner(s): Roger Theodore and Jane Theodore

Please be advised that your Petition for Administrative Zoning Variance has been assigned the above case number. Contact made with this office regarding the status of this case should reference the case number and be directed to 887-3391. This notice also serves as a refresher regarding the administrative process.

- 1) Your property will be posted on or before January 15, 1995. The closing date (January 30, 1995) is the deadline for a neighbor to file a formal request for a public hearing. After the closing date, the file will be reviewed by the Zoning or Deputy Zoning Commissioner. They may (a) grant the requested relief, (b) deny the requested relief, or (c) demand that the matter be set in for a public hearing. You will receive written notification as to whether or not your petition has been granted, denied, or will go to public hearing.
- 2) In cases requiring public hearing (whether due to a neighbor's formal request or by Order of the Commissioner), the property will be reposted and notice of the hearing will appear in a Baltimore County newspaper. Charges related to the reposting and newspaper advertising are payable by the petitioner(s).
- 3) Please be advised that you must return the sign and post to this office. They may be returned after the closing date. Failure to return the sign and post will result in a \$60.00 charge.

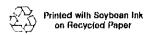
PLEASE UNDERSTAND THAT ON THE DATE AFTER THE POSTING PERIOD, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION VIA PICK-UP. WHEN READY, THE ORDER WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL.

Arnold Jablon Director

cc: Roger and Jane Theodore

bee: Kent Cooper

COLUMN TO THE STATE OF THE STAT





111 West Chesapeake Avenue Towson, MD 21204

(410) 887-3353

January 23, 1995

Mr. and Mrs. Roger Theodore 2 Bargate Court Baltimore, Maryland 21212

RE: Item No.: 229

Case No.: 95-231A

Petitioner: Roger Theodore, et ux

Dear Mr. and Mrs. Theodore:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approving agencies, has reviewed the plans submitted with the above referenced petition. Said petition was accepted for processing by, the Office of Zoning Administration and Development Management (ZADM), Development Control Section on January 4, 1995.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties; i.e., zoning commissioner, attorney, petitioner, etc. are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Joyce Watson in the zoning office (887-3391).

Sincerely,

W. Carl Richards, Jr.

Zoning Supervisor

WCR/jw
Attachment(s)

Printed with Soybean Ink on Recycled Paper

BALTIMORE COUNTY, MARYLAND INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director DATE: January 23, 1995 Zoning Administration and Development Management

FROM Developers Engineering Section

RE: Zoning Advisory Committee Meeting for January 23, 1995 Items 225, 226, 227, 229, 230, 231, 232, 233, 234, and 236

The Developers Engineering Section has reviewed the subject zoning item and we have no comments.

RWB: sw



O. James Lighthizer Secretary Hal Kassoff Administrator

Ms. Julie Winiarski Zoning Administration and Development Management County Office Building Room 109 111 W. Chesapeake Avenue Towson, Maryland 21204

Re:

Baltimore County
Item No.: * 229 (MTK)

Dear Ms. Winiarski:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not effected by any State Highway Administration project.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

Ronald Burns, Chief

Engineering Access Permits

Bob Small

Division

BS/

My telephone number is -

Maryland Relay Service for Impaired Hearing or Speech 1-800-735-2258 Statewide Toll Free

MICROFILMEL

Baltimore County Government Fire Department



700 East Joppa Road Suite 901 Towson, MD 21286-5500

(410) 887-4500

DATE: 01/12/95

Arneld Jablen Director Zoning Administration and Development Management Baltimore County Office Building Towson, MD 21204 MAIL STOP-1105

RE: Property Owner: SEE BELOW

LOCATION: DISTRIBUTION MEETING OF JAM. 17, 1995

Itom No.: SEE BELOW

Zoning Agendas

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

8. The Fire Marshal's Office has no comments at this time, IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 225, 226, 227, /229 231 | 232 AND 253.





ZADM

REVIEWER: LT. ROBERT P. SAUERUALD Fire Marchal Office, PHONE 887-4881, MS-110EF

cc: File

Printed on Recycled Paper

MICROFILMED

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director Zoning Administration and Development Management DATE: January 19, 1995

Part Same

FROM:

Pat Keller, Director

Office of Planning and Zoning

SUBJECT:

Petitions from Zoning Advisory Committee

My W. Ing Day Keins

The Office of Planning and Zoning has no comments on the following petition(s):

Item Nos. (229) 232, 238, 239, and 243

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3480.

Prepared by:

Division Chief:

PK/JL

95-231 A THEODORE I RUSTON HILL BD

December 22, 1994

AFFIDAVIT

In compliance with Baltimore County Regulations we are requesting an Administrative Variance and hereby attest to the fact that we will live in the residence at Lot 44 Bridleshire, otherwise known as 1 Ruxton Hill Road, Baltimore County, Maryland upon settlement and closing after completion of construction.

Signature Roger Theodore

Yalara W

ignature

Jane Theodore

State of Maryland, County of Baltimore, to wit:

I hereby certify, this 22 May of December, 1994, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

ROGER THEODORE AND JANE THEODORE

the affiants herein, personally known or satisfactorily identified to me as such Affiantt(s), and made oath in due form of law that matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief.

As witness my hand and Notarial Seal.

12/22/94

The Sewall

Date

Notary Public

My Commission Expires:

8/1/96

LAW OFFICES

GORDON, FEINBLATT, ROTHMAN, HOFFBERGER & HOLLANDER

THE GARRETT BUILDING 233 EAST REDWOOD STREET BALTIMORE, MARYLAND 21202-3332

410-576-4000

Telex 908041 BAL Fax 410-576-4246

EDWARD N. KANE, JR. 410-576-4182

January 30, 1995

HAND DELIVERY
Mr. Arnold Jablon
Zoning Commissioner
ZADM
111 West Chesapeake Avenue
Room 109
Towson, Maryland 21204

RE: Ruxton Hill Community Association Comments to Application for Variance Lot 44 Ruxton Hill

Dear Mr. Jablon:

This firm represents the Ruxton Hill Community
Association. In connection with the above-referenced
application for variance, the Association would like to register
with your office the following information:

- 1. The Environmental Control Committee of the Association has not yet completed the required review of the plans and specifications for the proposed pool on the property;
- 2. No plan for the proposed pool on the property has been approved by the Environmental Control Committee; and
- 3. Notwithstanding any action by Baltimore County in connection with the requested variance, the Environmental Control Committee reserves the right to independently disapprove any plans and specifications for the proposed pool, as the same may from time to time be amended or revised.





ZONING CO

GORDON, FEINBLATT, ROTHMAN, HOFFBERGER & HOLLANDER

Zoning Commissioner January 30, 1995 Page 2

If you have any questions, or require further information, please do not hesitate to contact me.

Thank you for your consideration.

Very truly yours

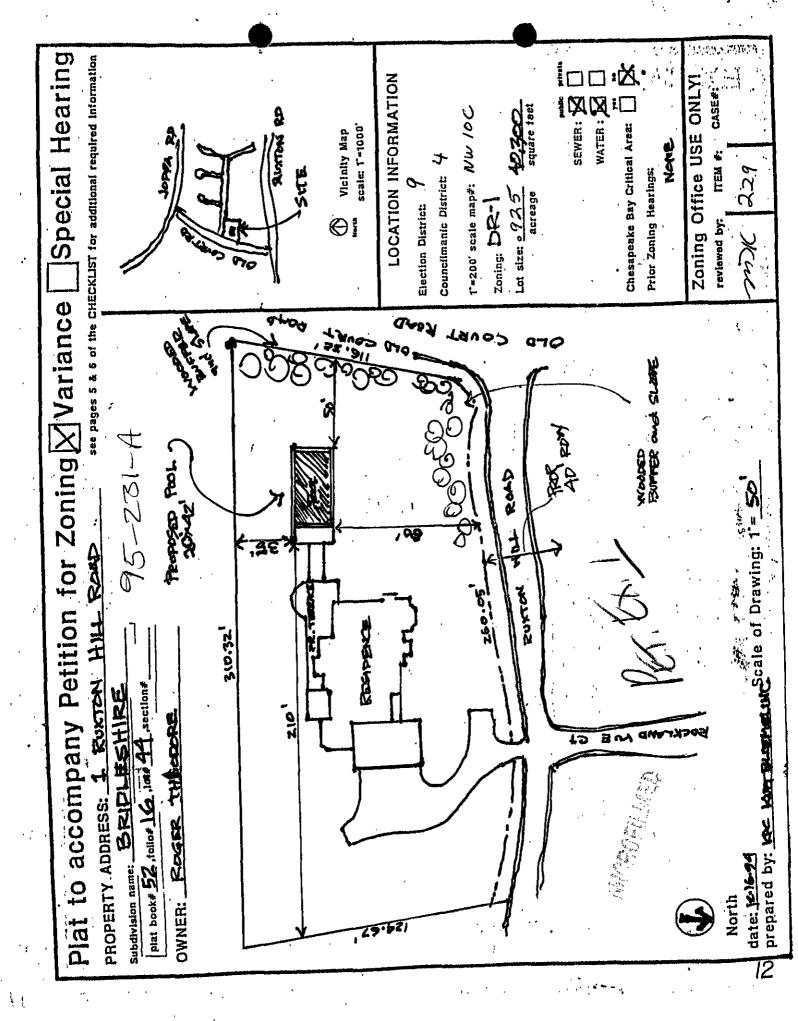
Edward N. Kane, Jr.

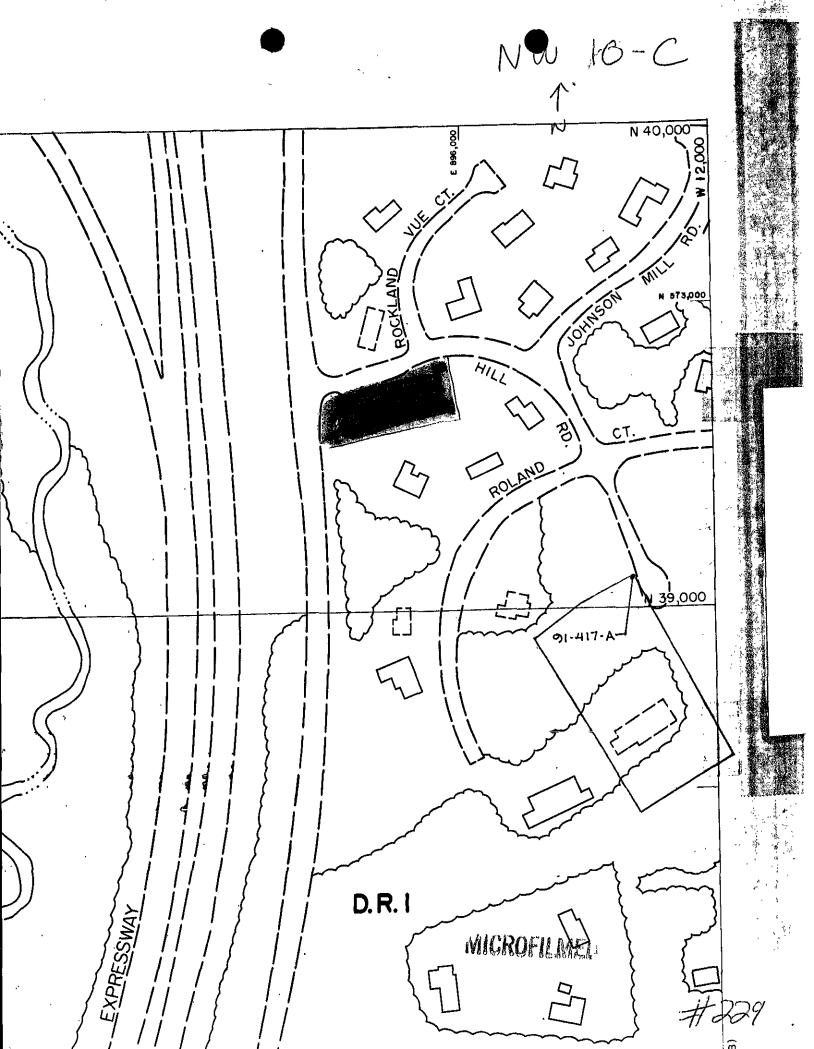
cc: Dr. Marc Doxanes

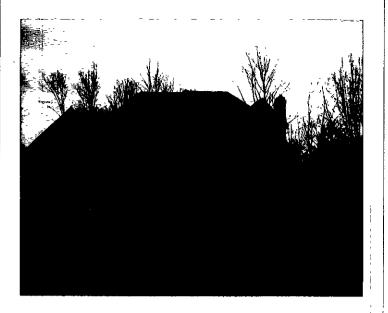
Dr. and Mrs. Roger Theodore

Mr. Kent Cooper

zadam.ltr







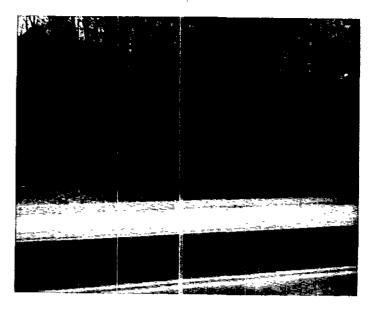
1. FRONT OF HOUSE



2, CORNER RUXTON HILL \$
COLD COURT ROMOS

W FRONT BANK RUL ROND





4. BANK CHDCOURT READ BUPPER



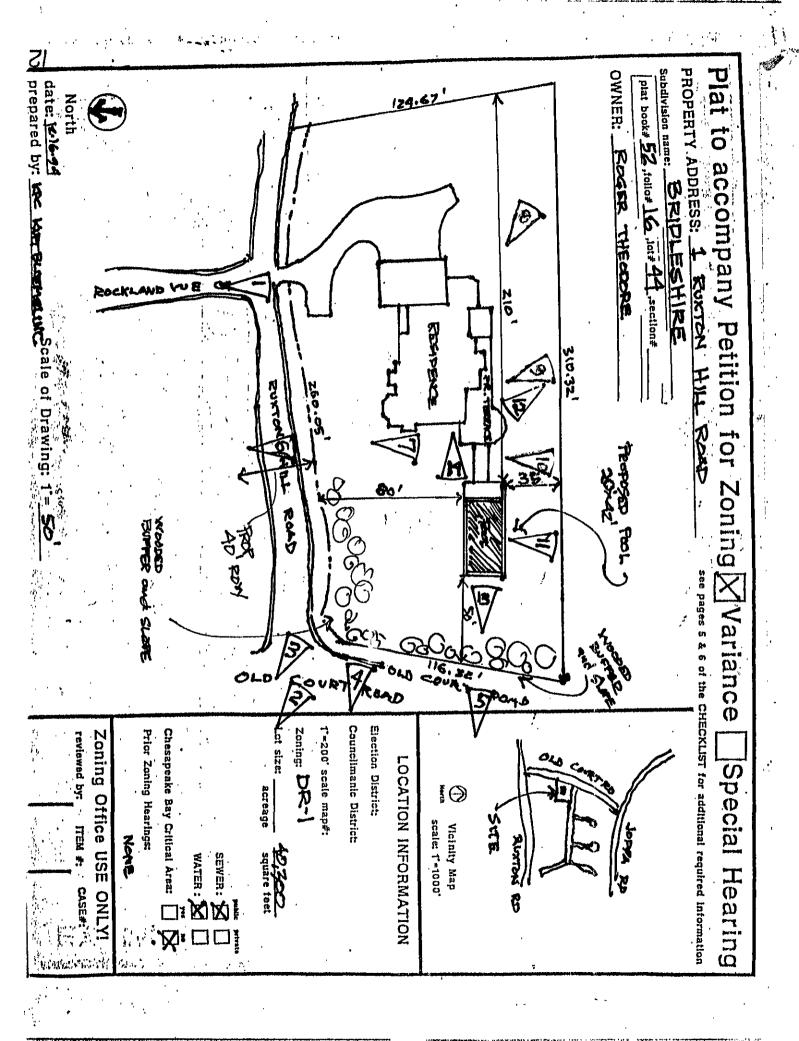
5. SOUTH BYD BANK OLD COURT ROMD

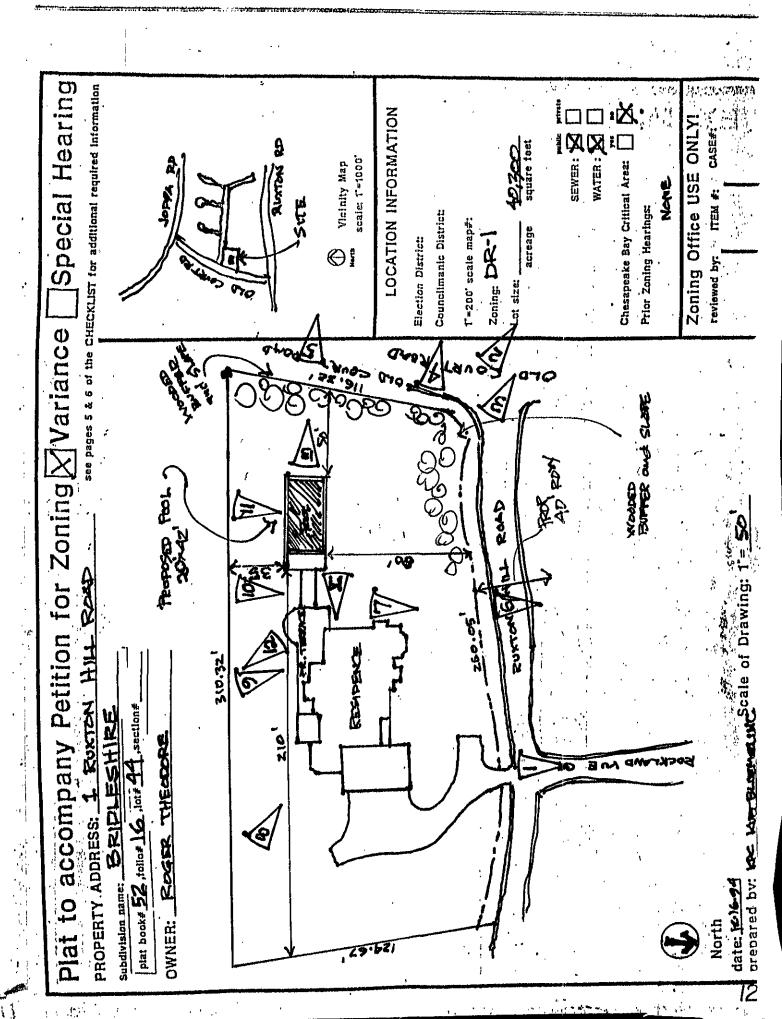


G FRONT BANK
RWYTON HILL BOAD



7. SIDE YARD POOL SITE



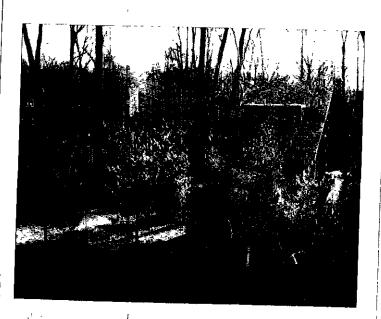




8 HEIGHBOR SE CORNER



9. PL AND SOUTH NEIGHBUR



10. P. AND SAY NEIGHBOR



11. SW NEIGHBOR AND ROOL



12. VIEW NW TOWNEDS FEEL 13. PEOL SITE





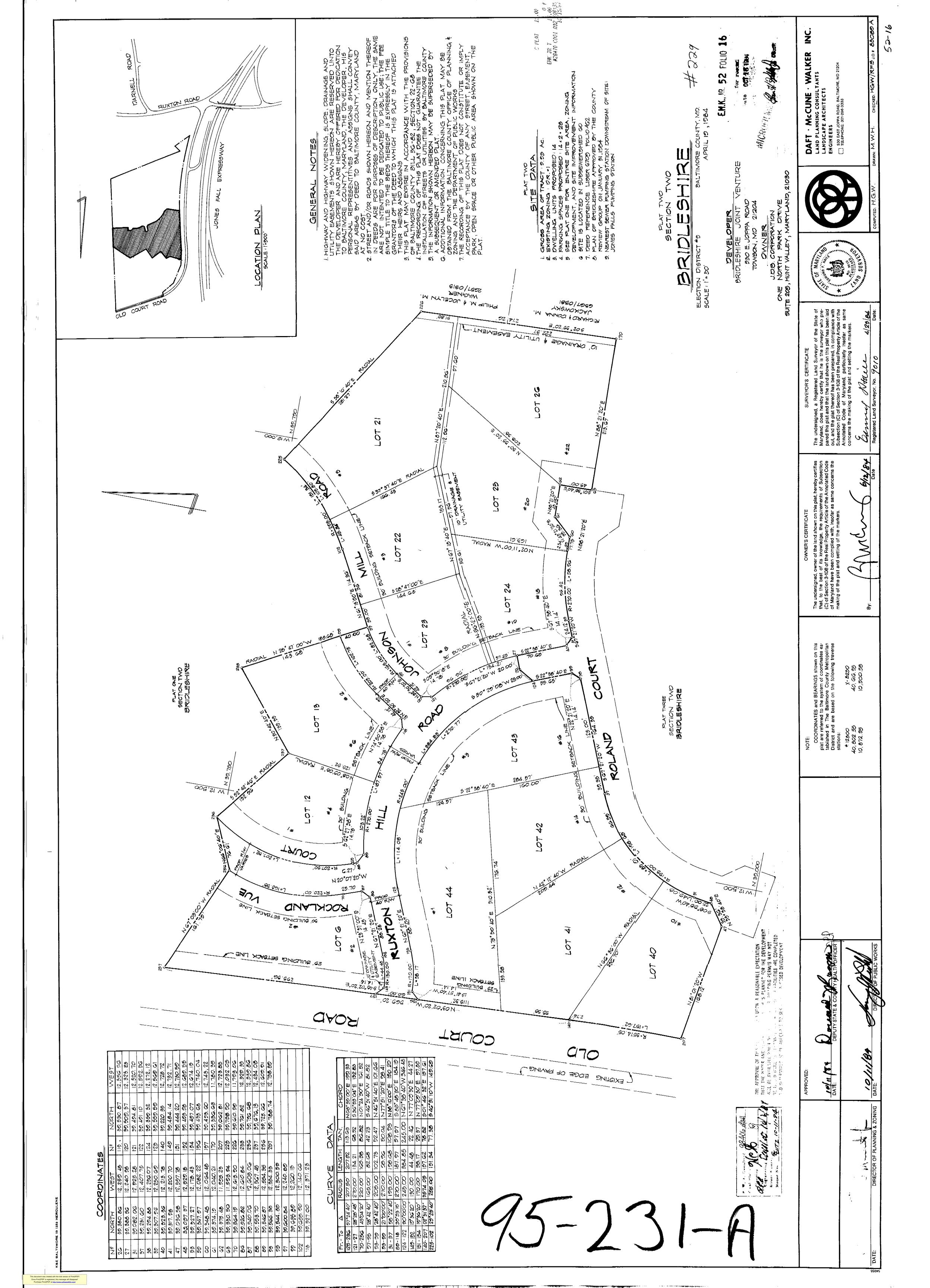
14 PROLETTE LOOKING WIST

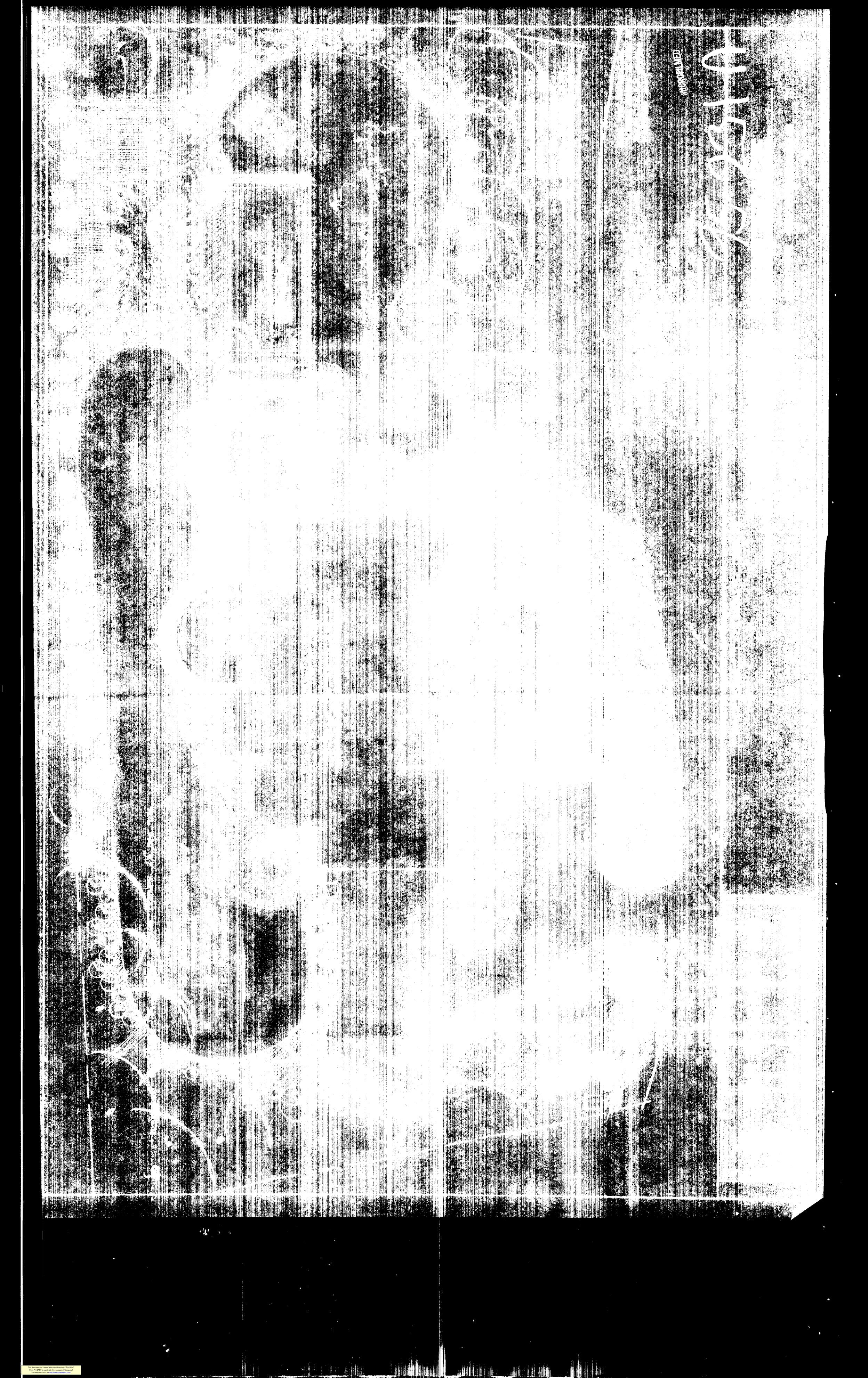
BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
PHOTOGRAPHIC MAP

ROCKLAND

MICROFILMED

75-231-6





IN RE: PETITION FOR ADMIN. VARIANCE E/S Old Court Road, 30' S of the c/l of Ruxton Hill Road (1 Ruxton Hill Road)

4th Councilmanic District

* DEPUTY ZONING COMMISSIONER * OF BALTIMORE COUNTY 9th Election District

Roger Theodore, et ux Petitioners

* Case No. 95-231-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

* * * * * * * * *

This matter comes before the Deputy Zoning Commissioner as a Petition for Administrative Variance for the subject property known as 1 Ruxton Hill Road, located on the southwest corner of Old Court Road and Ruxton Hill Road in the vicinity of Rockland. The Petition was filed by the owners of the property, Roger and Jane Theodore. The Petitioners seek relief from Section 400.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an accessory structure (proposed swimming pool) to be located in the side yard and in the third of the lot closest to any street in lieu of the required rear yard and that third of the lot farthest removed from any street. The subject property and relief sought are more particularly described on the site plan submitted and marked into evidence as Petitioner's Exhibits 1, 1A and 1B.

The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted and there being no requests for public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variances would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Deputy Zoning Commissioner, the information, pictures, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the B.C.Z.R. having been met, and for the reasons set forth above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this / day of February, 1995 that the Petition for Administrative Variance seeking relief from Section 400.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an accessory structure (proposed swimming pool) to be located in the side yard and in the third of the lot closest to any street in lieu of the required rear yard and that third of the lot farthest removed from any street, in accordance with Petitioner's Exhibits 1, 1A and 1B, be and is hereby GRANTED, subject, however, to the following restrictions:

> 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the relief granted herein shall be rescinded.

> > Musthy latroes TIMOTHY M. KOTROCO Deputy Zoning Commissioner for Baltimore County

95-231-A

The undersigned hereby petition for a variance for the following reasons:

- Because of a thirty-five foot (35') neighborhood setback it is impossible to build a pool in the rear yard.
- The residence is sited to totally occupy the building envelope.
- Slopes are such that the pool will not be visible from the front or side yards beyond the property line.
- This siting is an exact copy of the neighbor immediately adjacent.
- The entire property will be planted for maximum privacy.
- An automatic pool cover will provide safety.

95-231-A

Zoning Description

Zoning description for Lot 44 Bridleshire

Beginning at a point on the southeast corner of Old Court Road and Ruxton Hill Road which is a 40' right-of-way width, at the distance of 30' south of the centerline of Ruxton Hill Road, which is a 40' right-of-way width begin Lot 44 in the subdivision of BRIDLESHIRE as recorded in Baltimore County Plat Book #52; Folio 16, ocntaining approx. 40,300 square feet. Also known as #1 Ruxton Hill Road and Located in the 9th Election District.

Baltimore County Government Zoning Commissioner Office of Planning and Zoning (410) 887-4386 February 1, 1995 RE: PETITION FOR ADMINISTRATIVE VARIANCE E/S Old Court Road, 30' S of the c/l of Ruxton Hill Road 9th Election District - 4th Councilmanic District Roger Theodore, et ux - Petitioners Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Administrative Variance has been granted in accordance with the attached Order. In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Zoning Administration Office at Very truly yours,

TIMOTHY M. KOTROCO Deputy Zoning Commissioner for Baltimore County

TMK:bjs cc: Mr. Kent Cooper Kurt Bluemel, Inc., 2740 Greene Lane, Baldwin, Md. 21013

People's Counsel

Suite 112 Courthouse

400 Washington Avenue Towson, MD 21204

2 Bargate Court

887-3391.

Mr. & Mrs. Roger Theodore

Baltimore, Maryland 21212

(1 Ruxton Hill Road)

Case No. 95-231-A

Dear Mr. & Mrs. Theodore:

ITEM #: OOT

Petition for Administrative Variance to the Zoning Commissioner of Baltimore County

for the property located atLot 44 Bridleshire, 1 Ruxton Hill Rd. which is presently zoned DRI

This Petition shall be filed with the Office of Zoning Administration & Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 400. I to permit an accessory streeture (pool) in the side yard and in the third at the lot closest removed from any street in hea of the rear yard and farthist third, respectively. of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or

Refer to attached sheet

Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

	Contract Purchaser, Lessee			legal owner(s) of the property which is the subject of this Petition.
				Legal Owner(s)
	(Tyre or Port Name)			(Type or Print Name)
	Shape	m m man and a	····	Signature Caronic La
	Address			ROGER THEODORE
				X WILLS ThEN VINE
	City	State	Zipcode	Signature 100 of File on T
	Attorney for Petitioner.			JANE THEODOT
£,	(Type or Print Name)			2 Bargate Court (410) 377-88
	Statement a sustantial			Address Phone No
				Baltimore, MD 21212
	Signature		and the second s	City State Name: Address and phone number of representative to be contacted.
				Kent Cooper
	A03/996	Phone	Mo	Kurt Bluemel, Inc.
	.	7700		2740 Greene Lane (410) 557-75
1	Cay	State	Zipcode	Address Phone No.
				Baldwin, MD 21013

Roger & Jane Theodoro. Location of property: I Ruxton Hill Rd. E/S Old Court Rd Location of Signer Facing 100 dway, on property bring tore &

	Baltimare C Zoning Adm Development 112 West Chose, Ton-sea, Marylo	ninistration &		Account: R-00	1000 75-231
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		Physical Made	Charles Physicio Tox Distric	01A01#0260MICHF BA C010:2BAM01-	
		and the state of			

That based upon personal knowledge, the following are the facts upon which law base the request for an Administrative Variance at the above address: (indicate hardship or practical difficulty) refer to attached sheet I HEREBY CERTIFY, this 21) T day of DECEMBER, 1994, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared LOGER THEODORE AND JANE THEODORE the Affiants(s) herein, personally known or satisfactorily identified to me as such Affiantt(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief.

Affidavit in support of Administrative Variance

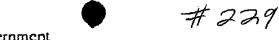
The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to

testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently reside at ______ Ruxton H111 Rd

#229





111 West Chesapeake Avenue Lowson MD 21204

(410) 887-3353

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County Zoning Regulations require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

1) Posting fees will be accessed and paid to this office at the time of filing.

2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper. NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

For newspaper advertising: Item No.: #229

Petitioner: ROSER & JANE THEODORE

Location: 1 RUXTON HILL ROAD RUYTON MP. PLEASE FORWARD ADVERTISING BILL TO:

NAME: I'R ROGER THEODORE.

ADDRESS: 2 PARGATE COURT

BANTMORE MP. PHONE NUMBER: 410 557 7575.

(Revised 04/09/93)

Baltimore County Government Office of Zoning Administration and Development Management



NOTICE OF CASE NUMBER ASSIGNMENT

111 West Chesapeake Avenue Towson, MD 21204

January 10, 1995

(410) 887-3353

CASE NUMBER: 95-231-A (Item 229) 1 Ruxton Hill Road (Lot 44 - Bridleshire) E/S Old Court Road, 30' S of c/l Ruxton Hill Road 9th Election District - 4th Councilmanic

Legal Owner(s): Roger Theodore and Jane Theodore

Please be advised that your Petition for Administrative Zoning Variance has been assigned the above case number. Contact made with this office regarding the status of this case should reference the case number and be directed to 887-3391. This notice also serves as a refresher regarding the administrative process.

1) Your property will be posted on or before January 15, 1995. The closing date (January 30, 1995) is the deadline for a neighbor to file a formal request for a public hearing. After the closing date, the file will be reviewed by the Zoning or Deputy Zoning Commissioner. They may (a) grant the requested relief, (b) deny the requested relief, or (c) demand that the matter be set in for a public hearing. You will receive written notification as to whether or not your petition has been granted, denied, or will go to public hearing.

2) In cases requiring public hearing (whether due to a neighbor's formal request or by Order of the Commissioner), the property will be reposted and notice of the hearing will appear in a Baltimore County newspaper. Charges related to the reposting and newspaper advertising are payable by the petitioner(s).

3) Please be advised that you must return the sign and post to this office. They may be returned after the closing date. Failure to return the sign and post will result in a \$60.00 charge.

PLEASE UNDERSTAND THAT ON THE DATE AFTER THE POSTING PERIOD, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION VIA PICK-UP. WHEN READY, THE ORDER WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL.

bee: Kent Cooper

Baltimore County Government Office of Zoning Administration and Development Management

(410) 887-3353

January 23, 1995

Mr. and Mrs. Roger Theodore 2 Bargate Court Baltimore, Maryland 21212

111 West Chesapeake Avenue

Towson, MD 21204

RE: Item No.: 229 Case No.: 95-231A Petitioner: Roger Theodore, et ux

Dear Mr. and Mrs. Theodore:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approving agencies, has reviewed the plans submitted with the above referenced petition. Said petition was accepted for processing by, the Office of Zoning Administration and Development Management (ZADM), Development Control Section on January 4, 1995.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties; i.e., zoning commissioner, attorney, petitioner, etc. are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Joyce Watson in the zoning office (887-3391).

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

The Office of Planning and Zoning has no comments on the following petition(s):

If there should be any further questions or if this office can provide additional

information, please contact Jeffrey Long in the Office of Planning at 887-3480.

DATE: January 19, 1995

Arnold Jablon, Director

Pat Keller, Director

Item Nos. (229) 232, 238, 239, and 243

Zoning Administration and

Office of Planning and Zoning

Petitions from Zoning Advisory Committee

Development Management

Attachment(s)

O. James Lighthizer Hal Kassoff Administrator

1-13-95

Ms. Julie Winiarski Zoning Administration and Development Management County Office Building Room 109 111 W. Chesapeake Avenue Towson, Maryland 21204

Dear Ms. Winiarski:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not effected by any State Highway Administration project.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Re: Baltimore County
Item No.: * 339 (MJK)

My telephone number is _____ Maryland Relay Service for Impaired Hearing or Speech 1-800-735-2258 Statewide Toll Free Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202 altimore County Government

700 East Joppa Road Suite 901 Towson, MD 21286-5500

(410) 887-4500

·DATE: 01/12/7E

Arnold Jablon Director Zoning Administration and Davelopment Management Baltimore County Office Building Towson, MD 21204 MAIL STOP-1105

RE: Property Owner: SES BELOW

LOCATION: DISTRIBUTION MEETING OF JAN. 17, 1995

Item No.: SEE BELOW

Centlemen:

Pursuant to your request, the referenced property has been surveyed by this Sursau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

Zoning Agenda:

8. The Fire Marshal's Office has no comments at this time. IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 225, 266, 227, 229, 231, REE AND ESS.



ZADM

REVIEWER: LT. ROBERT P. SAUERHALD Fire Marchal Office, FHONE 887-4881, MS-110EF cc File

ITEM229/PZONR/TREJEL

95-231 A THEUDERE I RUGON HILL BE

BALTIMORE COUNTY. MARYLAND
INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director DATE: January 23, 1995 Zoning Administration and Development Management

for January 23, 1995
Items 225, 226, 227, 229, 230, 231, 232, 233, 234, and 236

FROM Developers Engineering Section

Zoning Advisory Committee Meeting

The Developers Engineering Section has reviewed the subject zoning item and we have no comments.

December 22, 1994

In compliance with Baltimore County Regulations we are

requesting an Administrative Variance and hereby attest to

AFFIDAVIT

the fact that we will live in the residence at Lot 44 Bridleshire,

otherwise known as I Ruxton Hill Road, Baltimore County, Maryland

upon settlement and closing after completion of construction.

State of Maryland, County of Baltimore, to wit:

I hereby certify, this 22 day of <u>VCCEMBER</u>, 1994, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

ROCER THEODORG AND JANE THEODORE

the affiants herein, personally known or satisfactorily identified to me as such Affiantt(s), and made oath in due form of law that matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief.

As witness my hand and Notarial Seal.

12/22/94

8/1/96

My Commission Expires:

LAW OFFICE

GORDON, FEINBLATT, ROTHMAN, HOFFBERGER & HOLLANDER

THE GARRETT BUILDING
233 EAST REDWOOD STREET
BALTIMORE, MARYLAND 21202-3332

410-576-4000

Telex 908041 BAL Fax 410-576-4246



EDWARD N. KANE, JR. 410-576-4182

January 30, 1995

MAND DELIVERY
Mr. Arnold Jablon
Zoning Commissioner
ZADM
111 West Chesapeake Avenue

Room 109
Towson, Maryland 21204

RE: Ruxton Hill Community Association

Comments to Application for Variance
Lot 44 Ruxton Hill

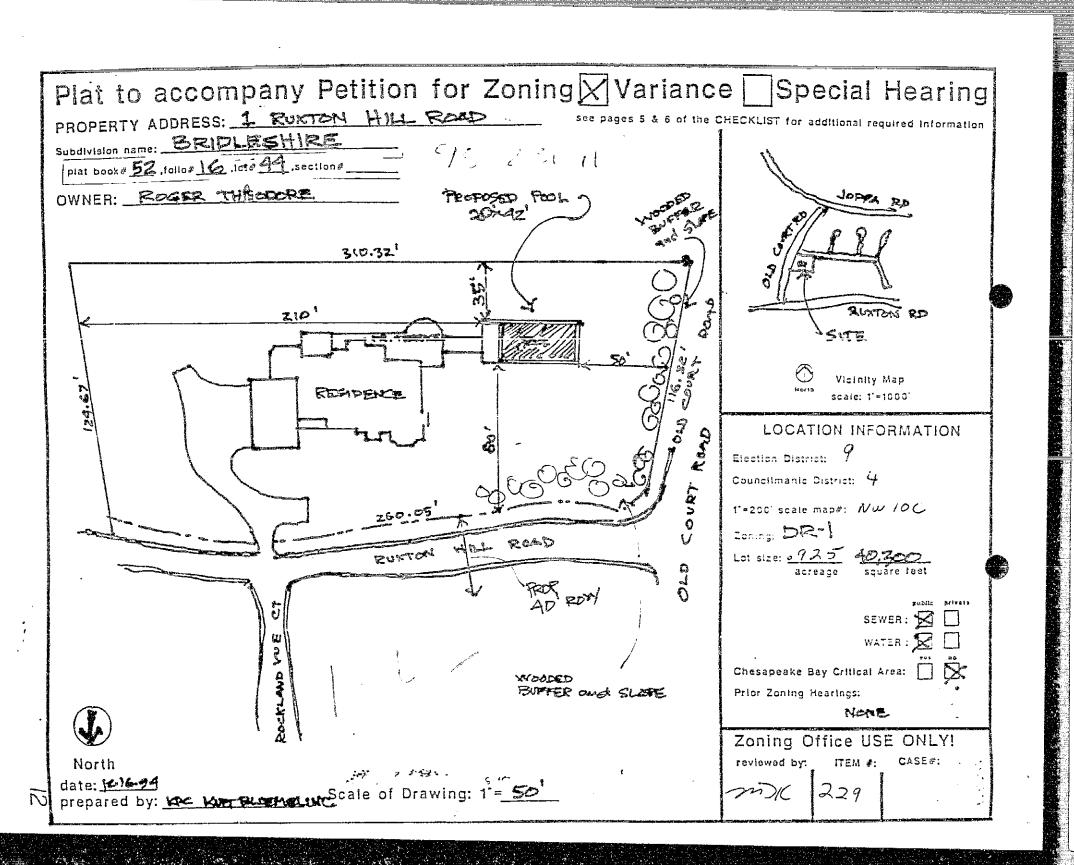
Dear Mr. Jablon:

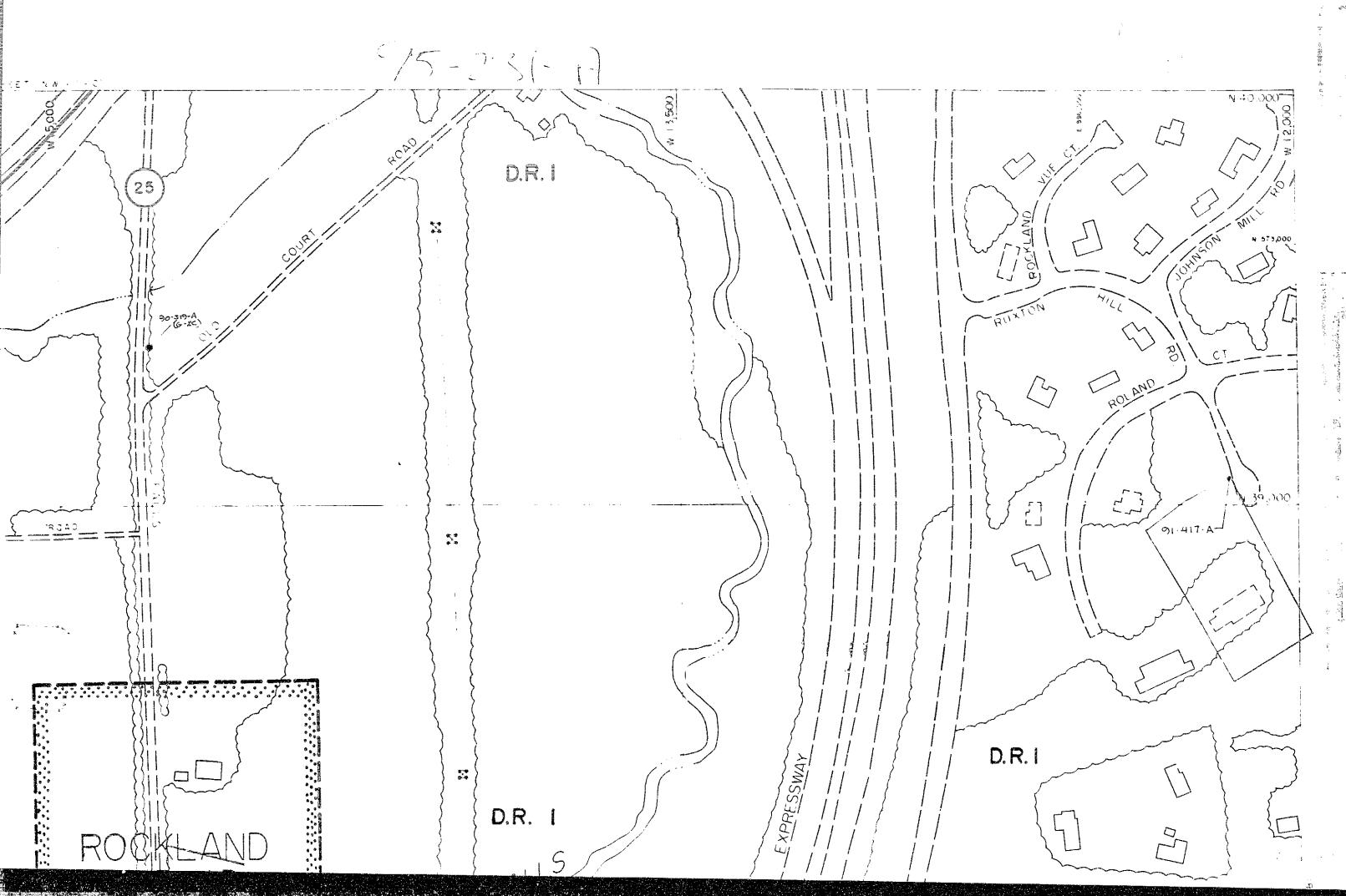
This firm represents the Ruxton Hill Community Association. In connection with the above-referenced application for variance, the Association would like to register with your office the following information:

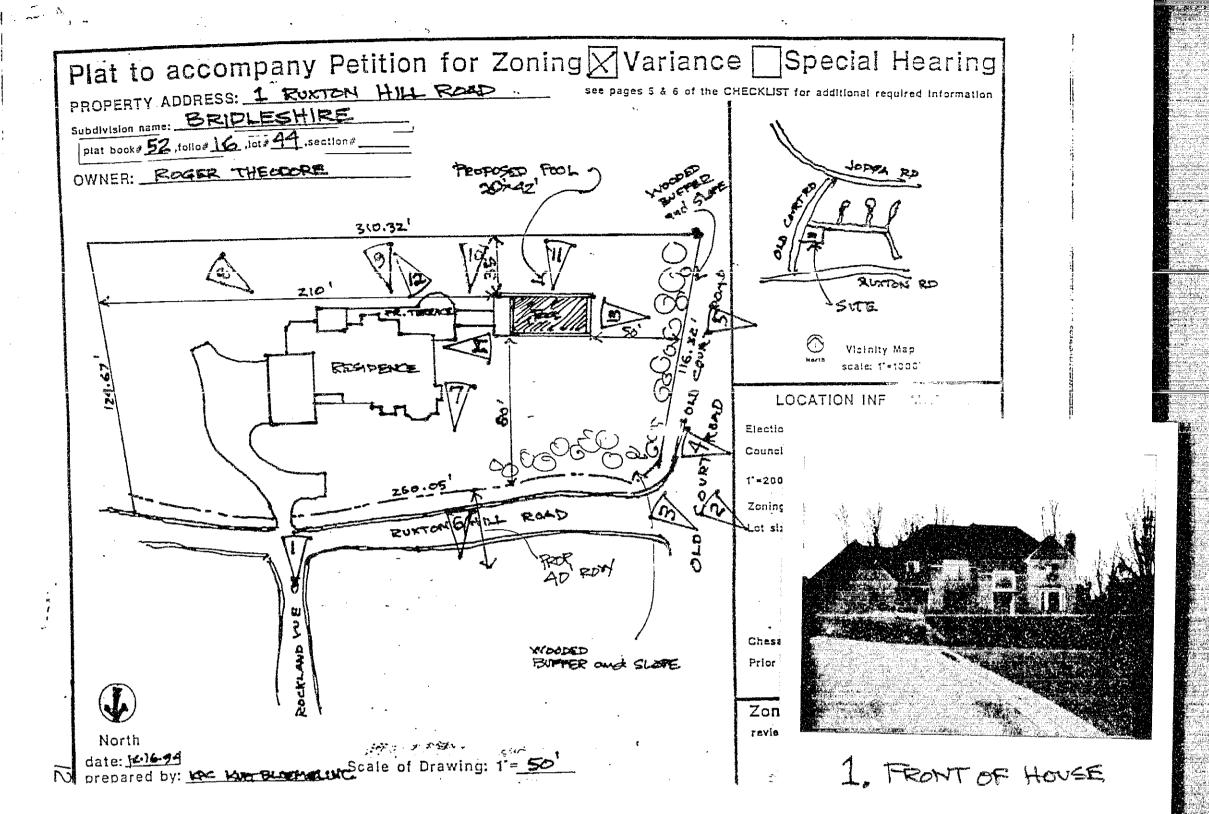
- 1. The Environmental Control Committee of the Association has not yet completed the required review of the plans and specifications for the proposed pool on the property;
- 2. No plan for the proposed pool on the property has been approved by the Environmental Control Committee; and
- 3. Notwithstanding any action by Baltimore County in connection with the requested variance, the Environmental Control Committee reserves the right to independently disapprove any plans and specifications for the proposed pool, as the same may from time to time be amended or revised.



ZADM

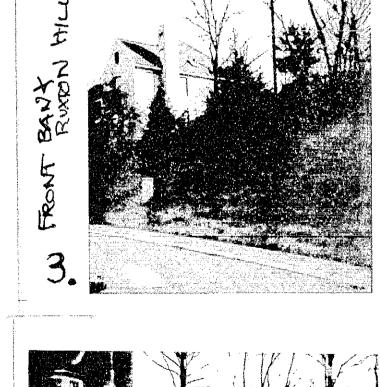




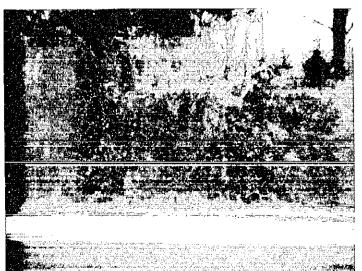




2. CORNER ROXTON HILL \$
OLD COURT ROADS



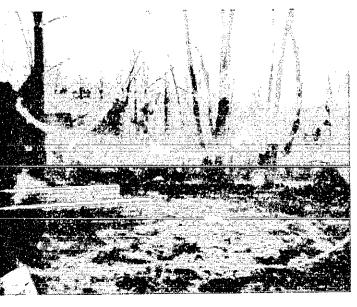
BANK OLD COURT ROAD BUPFER



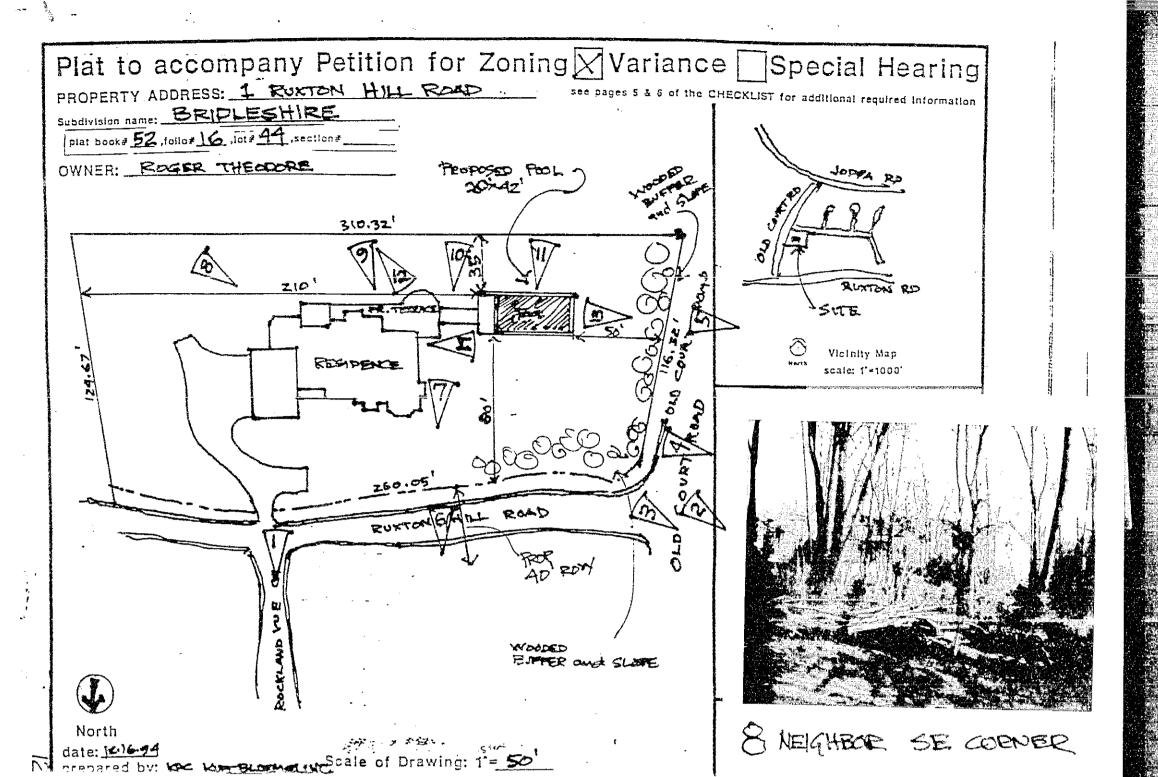
5 SOUTHEND BANK OLD COURT ROAD

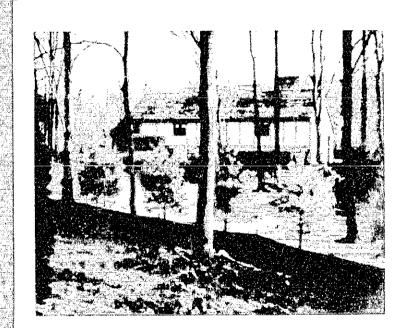


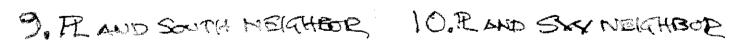
G FRONT BANK RUXTON HILL ROAD

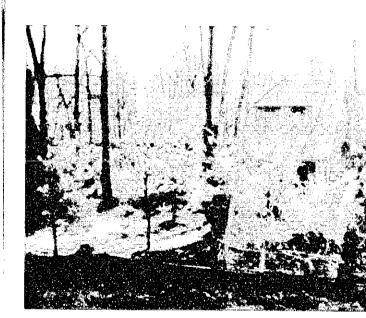


7. SIDE YARD POOL SITE











SOK NEIGHBOR PARKING MEA NO POOL

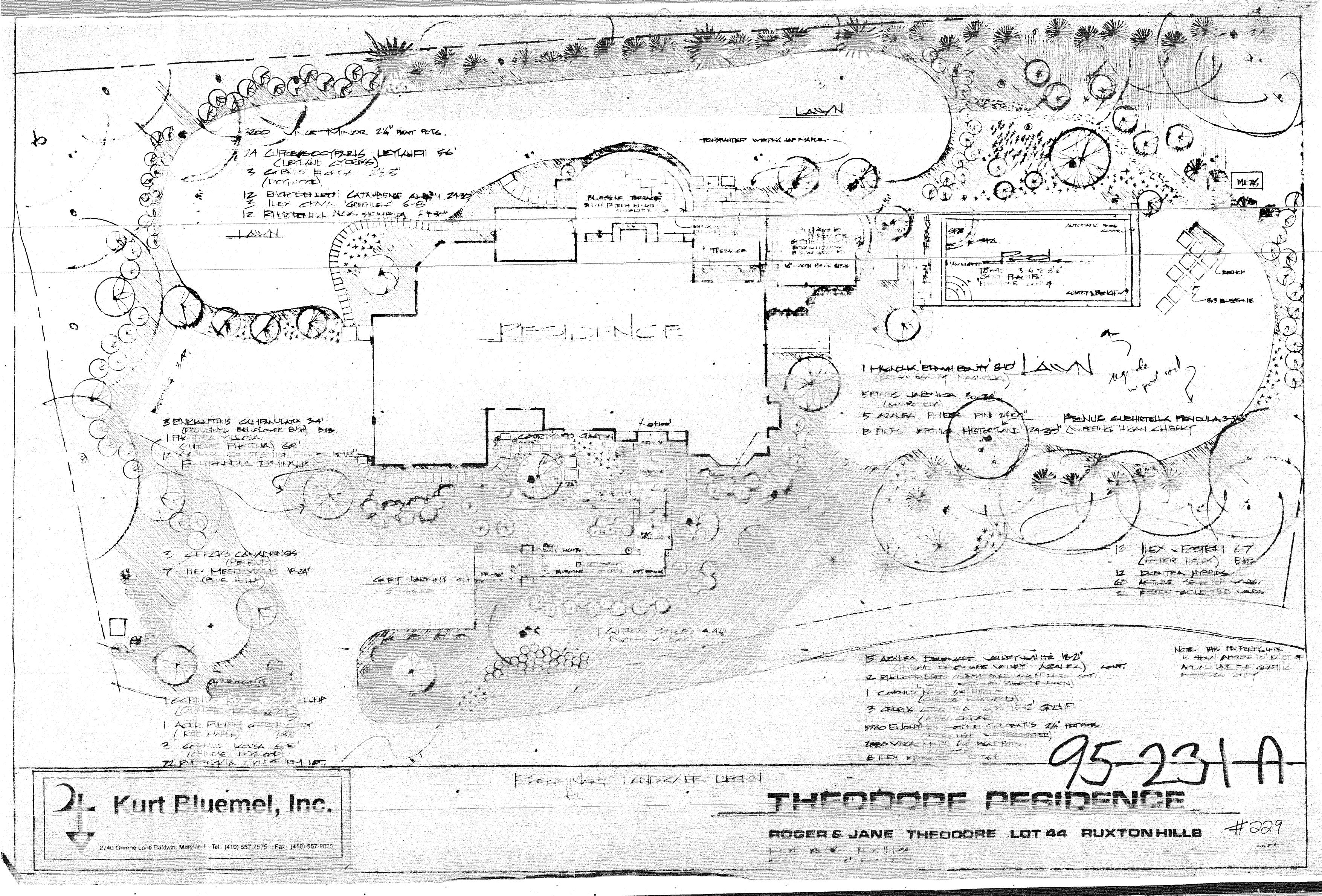


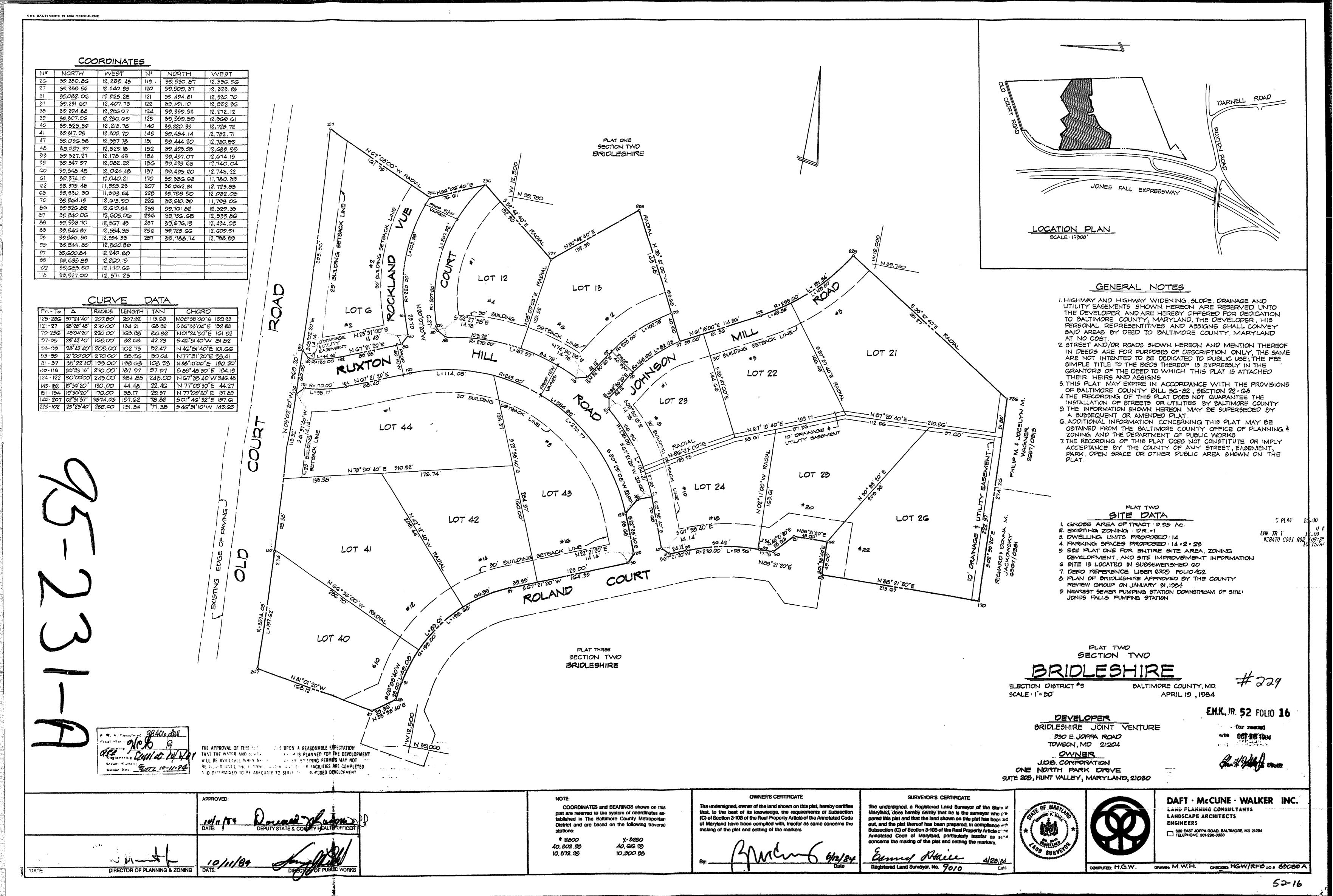
12. VIEW NW TOWNEDS FEEL 13. FEOL SITE





14 PROLSTE LOOKING WET







BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
PHOTOGRAPHIC MAP

DATE OF PHOTOGRAPHY JANUARY 1986

ROCKLAND

PREPARED BY AIR PHOTOGRAPHICS, INC.
MARTINSBURG, W.V. 25401